

**IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE BEFORE THE TRADEMARK  
TRIAL AND APPEAL BOARD**

Prairie Island Indian Community,  
a federally recognized Indian Tribe,

Plaintiff,

v.

Treasure Island Corp.,

Defendant.

Opposition Nos. 91115866  
and 91157981

Cancellation Nos. 92028126;  
92028127; 92028130; 92028133;  
92028145; 92028155; 92028171;  
92028174; 92028199; 92028248;  
92028280; 92028294; 92028314;  
92028319; 92028325; 92028342;  
and 92028379 (as consolidated)

***NOTE: THE ENCLOSED MATERIALS ARE TO BE FILED IN THE PARENT CASE  
RELEVANT TO THESE PROCEEDINGS, NAMELY OPPOSITION NO. 91115866***

**LETTER**

TRADEMARK TRIAL AND APPEAL BOARD  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA VA 22313-1451

Dear Trademark Trial and Appeal Board:

Enclosed herewith are the following documents:

1. PETITIONER/OPPOSER'S MEMORANDUM IN RESPONSE TO REGISTRANT/APPLICANT'S MOTION TO STRIKE OPPOSER'S NOTICE UNDER RULE 2.122 AND EXHIBITS RELATING THERETO;
2. CERTIFICATE OF SERVICE ON MARK G. TRATOS AND RICHARD COSTELLO; and
3. EXPRESS MAIL CERTIFICATE UNDER NO. EV615162301US.

EV615162301US

Trademark Trial and Appeal Board  
November 3, 2005  
Page 2

**PLEASE NOTE THAT THIS DOCUMENT SHOULD BE FILED IN THE PARENT CASE RELEVANT TO THESE CONSOLIDATED PROCEEDINGS, NAMELY OPPOSITION NO. 91115866. THIS DOCUMENT IS RESPONSIVE TO TWO IDENTICAL DOCUMENTS FILED BY DEFENDANT TREASURE ISLAND CORP. IN CASES 91115866 AND 91157981. PREVIOUSLY, THE BOARD INSTRUCTED THE PARTIES TO SUBMIT ALL FILINGS TO THE PARENT CASE, 91115866.**

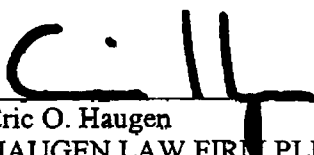
The Commissioner is authorized to charge any additional fees or refund any overpayment which may be required by this paper to Deposit Account No. 50-0789.

Of course, contact the undersigned with any questions you may have regarding the above.

Respectfully submitted,

HAUGEN LAW FIRM PLLP

Date: November 3, 2005

  
Eric O. Haugen  
HAUGEN LAW FIRM PLLP  
121 S. Eighth Street  
1130 TCF Tower  
Minneapolis, MN 55402  
Telephone: (612) 339-8300

Joseph F. Halloran  
JACOBSON, BUFFALO, SCHOESSLER  
& MAGNUSON LTD.  
1360 Energy Park Drive  
Suite 210  
St. Paul, MN 55108  
(651)644-4710

Attorney(s) for Petitioner/Opposer  
Prairie Island Indian Community,  
a Federally Recognized Indian Tribe

Express Mail Label EV615162301US

UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD

Prairie Island Indian Community,  
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Plaintiff,

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Treasure Island Corp.,

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TRADEMARK TRIAL AND APPEAL BOARD  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA VA 22313-1451

*Note: The enclosed  
communication is to be  
filed in the parent case  
relevant to these  
proceedings, namely  
Opposition No. 91115866*

**PETITIONER/OPPOSER'S MEMORANDUM IN RESPONSE TO**  
**REGISTRANT/APPLICANT'S MOTION TO STRIKE OPPOSER'S NOTICE UNDER**  
**RULE 2.122**

This communication responds to the Motion to Strike Opposer's Notice Under Rule 2.122, filed by Registrant/Applicant Treasure Island Corp. (hereinafter "TIC" or "Defendant"). For the reasons set forth below, Prairie Island Indian Community (hereinafter "Prairie Island" or "Plaintiff") respectfully requests that TIC's Motion be denied.

## **I. BACKGROUND**

Presently, the above-captioned action is in the testimony period. Plaintiff has already had judgment entered in its favor in connection with Cancellation Nos. 20028127, 92028174, 92028314, 92028319, and 92028325 "in each case on the grounds originally pleaded, namely priority of use and likelihood of confusion". See Board Order of January 31, 2005.

Prairie Island, as can be seen from Exhibit A, has used the mark TREASURE ISLAND since January of 1990. Before that, the facility operated under the name Island Bingo (from 1988 through December 31, 1989) and as Prairie Island Bingo Parlor (from 1984 through 1988). TIC, on the other hand, opened its casino and began using the TREASURE ISLAND mark in 1993. Prairie Island has a three-year priority as concerns use of the mark.

## **II. PRAIRIE ISLAND'S NOTICE OF RELIANCE**

Prairie Island has submitted, in its Notice of Reliance, several e-mail communications received from various individuals who, as a result of actual confusion, believed they were contacting TIC. Throughout the discovery process relevant to this proceeding, many other e-mails evidencing this sort of confusion were produced to TIC. Several of these e-mails were made exhibits at the testimonial depositions taken by Prairie Island in September. See, for example, Exhibit B.<sup>1</sup>

The e-mail documents submitted in connection with Prairie Island's Notice of Reliance all concern actual confusion as between Plaintiff and Defendant. The e-mail documents include, for instance, e-mails from would-be Las Vegas visitors (see Exhibit C), an e-mail from an employee of TIC who believed that he was contacting TIC regarding vacation time when, in fact,

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<sup>1</sup> Exhibits B-E are all e-mails. For the purposes of this Motion, the identity of the person who Prairie Island was dealing with is of no moment. Therefore, the identity of these individuals have been redacted.

he was contacting Prairie Island (see Exhibit D), and complaints directed at Plaintiff concerning various aspects of Defendant's business (see Exhibit E).

The subject e-mails were retrieved from Prairie Island's business records on September 28, 2005. Defendant TIC's testimony period did not open up until about a month after the documents were put in pursuant to the Notice of Reliance. The relevant documents were submitted to this Board, with the Notice of Reliance, in a timely fashion, namely October 5, 2005.

At this juncture, Defendant has every opportunity to question witnesses relevant to the documents put in relevant to Prairie Island's Notice of Reliance. As such, this aspect of Defendant's Motion to Strike should be denied in its entirety.

Additionally, Defendant has requested that this Board strike Prairie Island's Minnesota State Registration, issued on July 22, 1992 on the mark TREASURE ISLAND. See Exhibit F. TIC's Motion fails to set forth the language of 704.03(b)(1) which states as follows:

A state registration owned by a party to a Board inter-parties proceeding may be made of record therein by notice of reliance under 37 CFR § 2.122(e), or by appropriate identification and introduction during the taking of testimony, or by stipulation of the parties.

Thus, Prairie Island's State Registration has been properly submitted pursuant to the October 5, 2005 Notice of Reliance.

TIC also questions the validity of Prairie Island's Minnesota State Registration. As set forth in Exhibit A hereto, Prairie Island was, in fact, operating under the name TREASURE ISLAND during January of 1990. For approximately two weeks, during the very beginning of January of 1990, the facility was being renovated. However, as set forth in Cindy Flemke's testimony, cited in TIC's own brief, on January 1, 1990 "the facility was renamed Treasure Island".

Throughout this proceeding, TIC has asserted January 19, 1990 as the date upon which the renovations to the facility were completed, and as the date upon which the general public could take advantage of the services available at the renovated casino.

The State Registration, issued in July of 1992, constitutes evidence of Plaintiff's use of the mark TREASURE ISLAND long before Defendant's use of the mark commence, just as Exhibit A does, and just as all of the other uncontroverted evidence at issue in this proceeding does. The State Registration is valid, and properly before this Board per Plaintiff's Notice of Reliance.

Defendant is well aware that the casino facility was in existence before January of 1990, having opened in 1984, and that, in spite of the about-two week renovation in January of 1990, the casino "was renamed TREASURE ISLAND" on January 1, 1990.


Plaintiff notes one procedural matter. Defendant has filed two identical motions, one designated as being filed in case no. 91115866, and one in case no. 91157981. Pursuant to this Board's January 31, 2005 directive, contained in the Board Order of that date at footnote 1, Plaintiff is only filing this document in the parent case.

### **III. CONCLUSION**

For all of the above-stated reasons, TIC's Motion should be denied in its entirety. The documents at issue in Plaintiff's Notice of Reliance are properly before this Board.

Respectfully submitted,

Dated: November 3, 2005

  
Eric O. Haugen  
HAUGEN LAW FIRM PLLP  
121 S. Eighth Street  
1130 TCF Tower  
Minneapolis, MN 55402  
Telephone: (612) 339-8300

Joseph F. Halloran  
JACOBSON, BUFFALO, SCHOESSLER  
& MAGNUSON LTD.  
1360 Energy Park Drive  
Suite 210  
St. Paul, MN 55108  
(651) 644-4710

Attorney(s) for Petitioner/Opposer  
Prairie Island Indian Community,  
a Federally Recognized Indian Tribe

# Treasure Island BINGO

All New!

Play For A New Car Every Nite

## And Casino

(Formerly Island Bingo)

OPEN - Friday, January 19th under new management.

Focus on entertainment & large cash prizes.

Featuring: All new cafe with great food at affordable prices.

All new smoke shop with major brands at discount prices

Expanded Vegas Style Casino with over 100

different video games & exciting new table games.

All new No-Smoking section and exciting new Bingo program.

### NEW BINGO HOURS

Doors Open  
6 p.m. Fri & Sat  
2:30 p.m. Sunday

Early Birds  
7:00 p.m. Fri & Sat  
3:30 p.m. Sunday

Regular Session  
7:30 p.m. Fri. & Sat.  
4:00 p.m. Sunday

CASINO/SMOKESHOP  
12-8 Monday thru Thursday  
12-12 Friday & Saturday  
12-10 Sunday

Play On Your Birthday Free! Daily Video Specials

Friday, 19	Saturday, 20	Sunday, 21
Free \$500 Intermission Game Fastball Bingo	Drawing For Victorian Holiday Free \$500 Intermission Game Fastball Bingo	Free \$500 Intermission Game Fastball Bingo Senior Nite \$5.00 Off
Friday, 26	Saturday, 27	Sunday, 28
Regular Evening Session	Regular Evening Session	Senior Nite \$5.00 Off

Coupon

Clip and Present This Coupon At

Treasure Island Bingo & Casino

Drawing For A

Victorian Holiday

At The St. James Hotel  
Red Wing, MN

Limit One Coupon Per Person. One Winner  
Drawing Held January 20th, 1990. Must Be Present To Win!

EXHIBIT

PLAINTIFF  
EXHIBIT

Flemke  
REK M-27-05

A



Knapp, Lori

-----Oric

From:

Sent: Thursday, February 26, 2004 12:24 PM

To: Knapp, Lori

Subject: Re: January 24 - 27, 2004 Stay

OOOOOpppppps Sorry wrong TI. Thanks for your understanding.

----- Original Message -----

Sent: Thursday, February 26, 2004 7:12 AM

Subject: RE: January 24 - 27, 2004 Stay

I do not show a record of your stay here at Treasure Island resort and Casino in Red Wing Minnesota. Did you stay here or in Las Vegas? We are not affiliated with the Las Vegas property. If you did stay here please email me and I will investigate further.

Sincerely,

Lori

Hotel Manager

-----Original Message-----

From: Smith, Michelle

Sent: Thursday, February 26, 2004 8:02 AM

To: Knapp, Lori

Subject: FW: January 24 - 27, 2004 Stay

-----Original Message-----

From: Karen Houston

Sent: Wednesday, February 25, 2004 8:58 PM

To: Info

Cc:

Subject: January 24 - 27, 2004 Stay

RE: My stay at TI between January 24 - 27, 2004

Dear TI Staff,

Prairie Island Indian Community  
Plaintiff v. Treasure Island Corp.  
Defendant, Parent Case No.  
91115866  
Offered by Plaintiff

PLAINTIFF  
EXHIBIT

B

DEPOSITION  
EXHIBIT

Knapp 31  
9-28-05 8

31A

10/14/04-000476

At check-out the gentleman who assisted me gave me the impression the remainder of my hotel bill would not to be charged to my Discover card. So far the charges have not been reversed. I understood that because my daughter I had accumulated a large amount of points on our Player's Club cards that the bill was complimentary

Thank you for your assistance in this matter

10/14/04-000477

2/26/2004

**Smith, Michelle**

---

**From:** Smith, Michelle  
**Sent:** Monday, August 01, 2005 8:51 AM  
**To:**  
**Subject:** RE: Group Trip

Hello

Hello,

You have contacted Treasure Island Resort & Casino located near Red Wing, Minnesota. I believe you are trying to reach a facility with a similar name located in Las Vegas, Nevada. Their web address is [www.treasureislandlasvegas.com](http://www.treasureislandlasvegas.com)  
<<http://www.treasureislandlasvegas.com/>>

Sincerely,

*Michelle Smith*  
*Marketing Executive Assistant*  
Treasure Island Resort & Casino  
P.O. Box 75  
Red Wing, MN 55066  
1-800-222-7077

-----Original Message-----

**From:** .  
**Sent:** Sunday, July 31, 2005 10:51 PM  
**To:** Info  
**Subject:** Group Trip

Good Evening,

I coordinate a group trip each year in October and we have chosen Las Vegas as our destination for 2006. Could you please give me a quote on 20 rooms for the arrival date of October 6, 2006 and departing October 8, 2006. Also please clarify the procedures for reserving these rooms.

Thank-you,

Trip Coordinator

PLAINTIFF  
EXHIBIT

C

**Smith, Michelle**

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**From:** Smith, Michelle  
**Sent:** Thursday, February 24, 2005 10:48 AM  
**To:**  
**Subject:** RE: vacation

Hello Armando,

You have contacted Treasure Island Resort & Casino located near Red Wing, Minnesota. I believe you are trying to reach a facility with a similar name located in Las Vegas, Nevada. Their web address is [www.treasureislandlasvegas.com](http://www.treasureislandlasvegas.com) <<http://www.treasureislandlasvegas.com>>

Sincerely,

*Michelle Smith*  
*Marketing Executive Assistant*  
Treasure Island Resort & Casino  
P.O. Box 75  
Red Wing, MN 55066  
1-800-222-7077

-----Original Message-----

**From:**  
**Sent:** Thursday, February 24, 2005 10:31 AM  
**To:** Info  
**Subject:** vacation

I am an employee of Treasure Island and I was told to send an e-mail to schedule my vacation. It seems that I can't locate the proper web site. Could you please send me the correct web site so that I may submit my request.

Thank You

Employee Number

Supervisor Mr. Paul Dolson

PLAINTIFF  
EXHIBIT

**D**

**Smith, Michelle**

---

From: Smith, Michelle  
Sent: Wednesday, August 04, 2004 8:46 AM  
To:  
Subject: RE: TI Sirens

Hello

You have contacted Treasure Island Resort & Casino located in Red Wing, Minnesota. I believe you are trying to reach a facility with a similar name located in Las Vegas, Nevada. Their web address is [www.treasureislandlasvegas.com](http://www.treasureislandlasvegas.com)

I apologize for any inconvenience.

Sincerely,

Michelle Smith

Marketing Executive Assistant

Treasure Island Resort & Casino

P.O. Box 75

Red Wing, MN 55066

1-800-222-7077

-----Original Message-----

From:  
Sent: Tuesday, August 03, 2004 10:38 PM  
To: Info  
Subject: TI Sirens

I feel compelled to write and tell you of the worst experience of my recent Las Vegas trip. My girlfriend and I were just in town for a long weekend. After seeing the Elton John show on Sunday, we walked up to TI to see your Pirate Show, not knowing it had been changed to the Sirens Show. My girlfriend had seen the Pirate Show before and said it was worth seeing. WHAT A WASTE OF TIME!!! We both agreed that we had just wasted half an hour.

I can only hope that whoever approved the change to the Siren Show is now one of those people handing out escort flyers along the strip. I am sorry to say that if anyone asks me about things to do in Las Vegas, my list will not include TI.

Feel free to contact me if you want the gory details.

---

Do you Yahoo!?  
New and Improved Yahoo! Mail - 100MB free storage!  
[http://promotions.yahoo.com/new\\_mail](http://promotions.yahoo.com/new_mail)

PLAINTIFF  
EXHIBIT

**E**

## State of Minnesota

**SECRETARY OF STATE**

## Certificate of Registration of Mark

I, Joan Anderson Groue, Secretary of State of Minnesota, do certify that: The applicant listed below has on this date filed in the Office of the Secretary of State an application for the registration of the mark described below. Registration of this mark is granted to the applicant for a period of ten years from this date, under the terms and subject to the limitations of Minnesota Statutes, Chapter 333. The applicant claims the date listed below as the date of first use of the mark in this state, and the attached drawing, print or representation is a true and correct specimen of the mark.

Name of Applicant: Prairie Island Tribal Council

Type: Service

Description of Mark: Treasure Island

Date of First Use in this State: 01/01/90

Classification of Mark: 41

Registration Number of Mark: 19575

Mark Used On or In Connection With: Casino and related gaming services

This certificate has been issued on: 07/22/92.



*Joan Anderson Groue*  
Secretary of State.

PLAINTIFF  
EXHIBIT

**F**

UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARDPrairie Island Indian Community,  
a federally recognized Indian Tribe,Opposition Nos. 91115866  
and 91157981

Plaintiff,

v.

Treasure Island Corp.,

Defendant.

Cancellation Nos. 92028126;  
92028127; 92028130; 92028133;  
92028145; 92028155; 92028171;  
92028174; 92028199; 92028248;  
92028280; 92028294; 92028314;  
92028319; 92028325; 92028342;  
and 92028379 (as consolidated)

---

CERTIFICATE OF SERVICE

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I hereby certify that a true copy of the foregoing documents: PETITIONER/OPPOSER'S MEMORANDUM IN RESPONSE TO REGISTRANT/APPLICANT'S MOTION TO STRIKE OPPOSER'S NOTICE UNDER RULE 2.122 and attached Exhibits were served on Treasure Island Corp., c/o R. Richard Costello and Mark G. Tratos, of Greenberg Traurig, 3773 Howard Hughes Parkway, Suite 500 North, Las Vegas, NV 89109, Attorneys for Defendant, by first class mail, postage prepaid, on November 3, 2005.

Dated: November 3, 2005

Christie J. Carper  
On Behalf of Eric O. Haugen  
HAUGEN LAW FIRM PLLP  
121 S. Eighth Street  
1130 TCF Tower  
Minneapolis, MN 55402  
Telephone: (612) 339-8300Attorney for Plaintiff  
Prairie Island Indian Community,  
a Federally Recognized Indian Tribe

UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD

Prairie Island Indian Community,  
a federally recognized Indian Tribe,

Opposition Nos. 91115866 and 91157981

Plaintiff,

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Treasure Island Corp.,

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92028319; 92028325; 92028342;  
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CERTIFICATE OF MAILING VIA EXPRESS MAIL


---

TRADEMARK TRIAL AND APPEAL BOARD  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA VA 22313-1451

Sir:

I hereby certify that the attached PETITIONER/OPPOSER'S MEMORANDUM IN RESPONSE TO REGISTRANT/APPLICANT'S MOTION TO STRIKE OPPOSER'S NOTICE UNDER RULE 2.122 and attached Exhibits, and CERTIFICATE OF MAILING in connection with the above-identified matter is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to BOX TTAB, Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, under Express Mail Label No. EV615162301US on November 3, 2005.

Date: November 3, 2005

  
Christie J. Carper  
On Behalf of Eric O. Haugen  
HAUGEN LAW FIRM PLLP  
121 S. Eighth Street, #1130  
Minneapolis, MN 55402  
(612) 339-8300 - Telephone  
(612) 339-8200 - Facsimile

Attorney for Petitioner/Opposer  
Prairie Island Indian Community,  
a Federally Recognized Indian Tribe



**RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Prairie Island Indian Community v. Treasure Island Corp.  
 Opposition Nos. 91115866 and 91157981  
 Docket No. 1999-0254 / EOH:cjc



Receipt is hereby acknowledged for PETITIONER/OPPOSER'S MEMORANDUM IN  
 RESPONSE TO REGISTRANT/APPLICANT'S MOTION TO STRIKE OPPOSER'S NOTICE  
 UNDER RULE 2.122, attached Exhibits, Certificate of Service, and Express Mail Certificate  
 Under No. EV615162301US all for the above-referenced Opposition matter.

TTAB  
 COMMISSIONER FOR TRADEMARKS  
 P.O. BOX 1451  
 ALEXANDRIA VA 22313-1451

11-03-2005

U.S. Patent & TMO/TM Mail Rpt Dt. #01

Mailed: November 3, 2005

ORIGIN (POSTAL SERVICE USE ONLY)				DELIVERY (POSTAL USE ONLY)			
PO ZIP Code 55402	Day of Delivery Next <input type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del Day	Postage \$ 13.05		Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
Date Accepted 11/3/05	Scheduled Date of Delivery Month 11 Day 04	Return Receipt Fee \$		Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
Mo. Day Year	Scheduled Time of Delivery Morning <input checked="" type="checkbox"/> Noon <input type="checkbox"/> 3 PM <input type="checkbox"/> PM	COD Fee <input type="checkbox"/> Insurance Fee <input type="checkbox"/>		Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
Time Accepted 11:30 AM	Military <input type="checkbox"/>	Total Postage & Fees \$		Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
Flat Rate <input checked="" type="checkbox"/> or Weight	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Acceptance Emp. Initials [Signature]		<input type="checkbox"/> <b>WAIVER OF SIGNATURE</b> (Domestic Mail Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize the delivery employee's signature sometimes valid proof of delivery.			
Int'l Alpha Country Code				<input type="checkbox"/> <b>NO DELIVERY</b> <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday			
<b>CUSTOMER USE ONLY</b> METHOD OF PAYMENT: EXPRESS MAIL CERTIFIED ACCT. NO.				Federal Agency Acct. No. or Postal Service Acct. No.			
<b>FROM: (PLEASE PRINT)</b> ERIC O. HAUGEN, ESQ. HAUGEN LAW FIRM PLLP 121 S 9TH ST STE 1130 MINNEAPOLIS MN 55402-2823 PI/TIC / 1999-0254 / cjc				<b>TO: (PLEASE PRINT)</b> TRADEMARK TRIAL AND APPEAL BOARD COMMISSIONER FOR TRADEMARKS P.O. BOX 1451 ALEXANDRIA VA 22313-1451			

FOR PICKUP OR TRACKING: Visit [www.usps.com](http://www.usps.com) or Call 1-800-222-1811



**HAUGEN LAW FIRM PLLP**

121 South Eighth Street

Suite 1130

Minneapolis, MN 55402

Telephone: (612) 339-8300

Facsimile: (612) 339-8200

Date: November 21, 2005 / Time: 11:45 a.m. / p.m.Total Pages (including cover sheet): 19

TO:

FAX NUMBER:

Ms. Angela Lykos  
TRADEMARK TRIAL AND APPEAL BOARD

(571) 273-4289

FROM: ERIC O. HAUGEN, ESQ.

If you do not receive all pages, please call the Telecopier  
Operator at (612) 339-8300 ASAP.

TELECOPIER OPERATOR: Christie J. Carper

The information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is NOT the addressee (or the person responsible for delivering this transmission to the addressee), you are notified that any distribution or copying of this communication is strictly prohibited. If you have received this facsimile by error, please destroy the document at once and promptly contact the Telecopier Operator at (612) 339-8300. If you are unsure as to whether you have received this facsimile by error, please contact the Telecopier Operator at (612) 339-8300.

MESSAGE:

HARD COPY TO FOLLOW VIA U.S. MAIL:

YES

/

NO

Orrin M. Haugen (1927-2003)  
Eric O. Hauger  
Mark J. Burns\*  
\*Also Admitted In Wisconsin  
Christopher G. Frank  
of Counsel

**HAUGEN LAW FIRM PLLP**

1130 TCF Tower  
121 South Eighth Street  
Minneapolis, MN 55402

Patents  
Trademarks  
Copyrights  
Unfair Competition

Telephone 612-339-8300 • Facsimile 612-339-8200  
Toll Free 866-339-8300

November 21, 2005

**VIA FACSIMILE (703) 273-4289**

Ms. Angela Lykos  
Trademark Trial and Appeal Board  
Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Re: Prairie Island Indian Community v. Treasure Island Corp.  
Opposition Matter: 91115866 and 91157981

Dear Ms. Lykos:

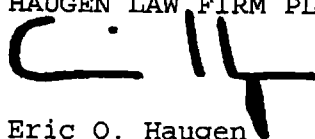
Enclosed per your request are the following items:

1. PETITIONER/OPPOSER'S MEMORANDUM IN RESPONSE TO  
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and
3. EXPRESS MAIL CERTIFICATE UNDER NO. EV615162301US.

By all means, contact me with any questions you may have regarding  
the above.

Yours very truly,

HAUGEN LAW FIRM PLLP

  
Eric O. Haugen

EOH/cjc  
Enclosures